

# Quid Novi

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MCGILL UNIVERSITY FACULTY OF LAW  
FACULTE DE DROIT UNIVERSITE MCGILL

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MCGILL UNIVERSITY

## REPORT ON CURRICULAR REFORM

**Daniel Gogek**

The Faculty Curriculum Committee recently struck a new sub-committee to examine and report on the feasibility of new course offerings in the fields of public and regulatory law and research and writing at the School. The sub-committee is composed of Professor Frank Buckley and Mr. Daniel Gogek, and would like to invite contributions from all members of the Faculty. In the interest of reporting back to the Curriculum Committee by early next February, we would ask Professors to submit their comments to the sub-committee by December 17, 1984, and students to submit theirs by January 14, 1985.

The Sub-committee is currently studying a proposal to create an upper-year optional seminar in research and writing, and would be pleased to receive your comments on this idea. The following is a summary of the main point of the proposal.

### Introduction

This report proposes an upper year legal research and writing seminar for McGill Law School. To highlight the main points, the course would be a full-year optional seminar in which students could critically evaluate each others' essay work under the supervision of a professor. In a manner similar to the

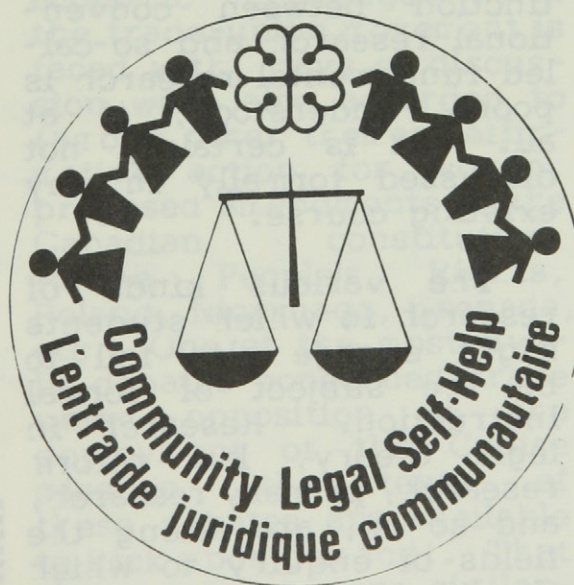
present "term essay" course each student would be required to write a paper for a professor of his or her choice. A first draft would be required in December, the final draft in April. Seminar time during the first term would be devoted to discussion of research and writing in general -- techniques of research, types of research,

legal writing style, the use of language in law, weaknesses in present legal scholarship, etc. In the second term the seminar would serve as a forum for critical evaluation of students' first drafts. Students could apply concretely the principles and ideas learned in the first term by offering construc-

**Cont'd on p.2**

## Self-Help Conference

by Pearl Eliadis



The Conference on Community Legal Self-Help reached its successful conclusion Saturday, November 17. The Conference was geared to Montreal Community groups interested in improving their access (and that of the public) to legal information. Over one hundred organizations par-

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ticipated, and the event was administered by approximately thirty McGill law students.

The Conference was structured on the framework of ongoing workshops that included the organization of effective legal information banks, client interviewing techniques, presentations before legislative committees, research in public legal information, organizing community legal action, class actions and self representation. The vast scope of this conference was reflected by the organizations who participated in, or contributed to it; the Federal Justice Department, the Quebec Ministry of Justice, the Board of Notaries, Alliance Quebec, the Canadian Law Information Council, the Canadian Bar Association, the Graduate Society, the Program Board, and, last but not least, the L.S.A.

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## CONFERENCE

Cont'd from p. 1.

The Conference was the brain child of Todd Sloan, who perceived a need for centralization and increased accessibility of legal information to avoid redundancy and wasted effort on the part of community organizations.

The conference has been in the works since last May, and the organizers (Todd Sloan, Bettina Karpel, and Holly Cullen) devoted extraordinary amounts of time and energy to the project.

Among the notables who devoted their time to the workshops were Phil Edmonston, Michael Bergman, Arnold Bennett, and Judge Trudel of the Provincial Court of Quebec.

The follow-up to the Conference will include consolidation of the minutes of the workshops and of the lists of participants, and may involve the creation of a steering committee to ascertain the objectives of future projects.

The Conference is noteworthy for a number of reasons. The obvious one, perhaps, is the importance of centralizing and "networking" Montreal organizations to ensure their effective operation. In the context of our law school, however, there is a second one. It is refreshing to see that a substantial group of law students are interested in translating their legal knowledge and experience into a forum directed to helping the public.

### Quotable Quote

"The law of trusts proceeds on the basis that illogicality is essential to the universe of justice".

**Dennis Klinck**  
**Equity & Trusts**

## REPORT

Cont'd from p. 1.

tive criticism of their fellow students' initial drafts. Papers would then be revised and a final draft submitted to the individual essay supervisor. This process of critical evaluation and revision should provide not only a valuable learning experience but should also produce a number of excellent, publishable papers at the end of the year.

### The Need

At present there is little emphasis given to writing skills at McGill. After the first year tutorial programme, there is no course which focuses on developing the student's writing ability.

There is comparatively little emphasis on research as well. Although several upper year courses contain writing requirements, no course concentrates on research itself. The distinction between conventional research and so-called fundamental research is poorly understood, if at all. It is certainly not discussed formally in any existing course.

The various kinds of research in which students might engage also fail to be the subject of formal instruction. Research in legal theory, law reform, research, primary research, and so on, are among the fields of enquiry to which the law student is presently seldom directed.

### Potential

This lack of emphasis on research and writing is unfortunate. There are a number of students at McGill who are capable of producing papers which could make useful contribu-

tions to the legal literature. To achieve this, however, resources must be channelled carefully;. The present "term essay" option institutionalizes two fundamental shortcomings: an inadequate working period of three months and an absence of intense critical evaluation.

In the present three month essay course students generally require the first month or two to conduct and compile their research, the second and third to synthesize it, and the third to write something. Indeed, these students can usually be seen in their third month writing frantically under the pressure of imminent exams. They complete at best a first draft and, generally, they abandon the paper on some dusty shelf by the time the next term comes around. Needless to say, these papers are seldom revised into something worth submitting for publication.

By institutionalizing a process of critical evaluation and revision of first drafts, the proposed research seminar should avoid these problems. Students would have a total of seven months between the time of beginning research and submitting the final draft; they would be required to rework their initial paper into an essay of the highest quality.

### Graduation Composite BCL/LLB IV

I am collecting money from all those who have not yet paid for the composite. Please pay me or Tony Abruzzese before Christmas exams. The price is \$21.75.

**Jill K -Huggessen**



# Thanks

The success of any endeavour depends on those who plan and execute it. The students who contributed their talent and time to the Conference on Community Legal Self-Help are to be applauded for the extent of their efforts.

Cliff Arnold  
Miriam Baron  
Claire Bernard  
Mary Dichiaro  
Michael Doyle  
Stephen Fogarty  
Ian Fraser  
Danny Gogek  
Alida Gualtieri  
Richard Janda  
Judy Kennedy  
Tamara Lansky  
Julie Latour  
Marie-France Leduc  
Ed Lee  
Diane Lessard  
John Lineburger  
Gisele Molgat  
Anna-Maria Mongillo  
Peter Panel  
Debbie Raicek  
Richard Shaw  
Rob Smith  
Lisa Steinberg  
Diane Sylvain  
Valerie Teroux  
Jean Trudelle  
Lorianne Weston

Thank-you's are also due to Professors Sklar, Baker, Klinck, Benson, Kaufman, and to the Dean

## The Organizers

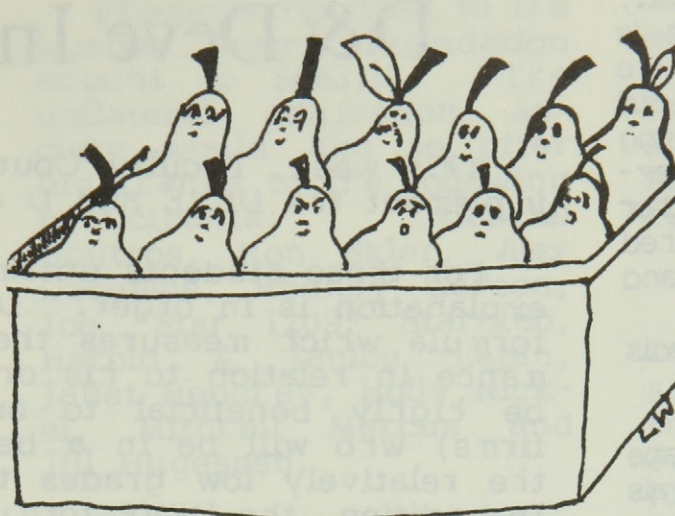
## Referendum

|     |                    |
|-----|--------------------|
| 166 | Yes                |
| 9   | No                 |
| 4   | Spoiled            |
| 1   | Larry "Bud" Melman |

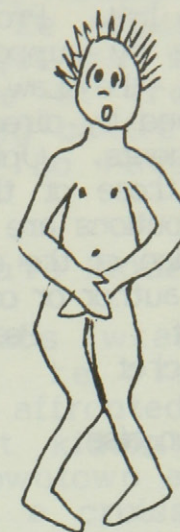
## Last Seminar!

Speaker: Gary Naschen  
Topic: "Impressions of China's New Legal System."  
When: Thursday, 29 November  
Where: The Common Room

# COMIC INTERPRETATION



A JURY OF YOUR PEARS



NU-PROPRIÉTAIRE

## LETTERS

Cont'd from p. 7

izing workers in various trades. In May 1984, as the most recent example, I attended, along with 2500 delegates, the Canadian Labour Congress Convention.

It may come as a surprise to Mr. Gallup and Rick that in addition to addressing the pressing economic challenges that the trade-union movement is faced with, days of discussion were also accorded to (among other themes) affirmative action for women, proposed amendments to the Canadian constitution, Native People's Rights, Poland, Nicaragua, Grenada, etc. One of the most lively debates concerned trade union opposition to the deployment of the Cruise missiles [the texts of these debates are available to Rick upon demand]. That these debates were similarly reflected at the rank and file level was attested by the literally thousands of resolutions which flooded the Convention from trade-union locals throughout the country.

I will take this oppor-

tunity again to suggest that Rick does himself a serious disservice by simply disclaiming my remarks as either fanciful exaggerations or evidence of a unique and not representative group of workers. They are neither.

I would like to assure Mr. Goossen that he should not take the slightest offense in any of my remarks. They are of course not directed against him, but rather against certain assumptions he stubbornly clings to. And as we all know, assumptions readily change and develop. I have the greatest confidence that a) Mr. Goossen is not immune to this process of development and b) in the future both he and I can more readily see eye to eye. In the meantime, for my part, I will try to develop my sense of humour, as Rick wisely counsels me.

A drown your sorrows PARTY will be held December 21 (location T.B.A.): a training event presented by the Canada Law Games Committee.



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# EDITORIAL

## D & Deve Introduced

This week, Faculty Council approved the motions to implement the DEVE and D grade proposals.

For those students unfamiliar with these issues, some explanation is in order. DEVE is a standard deviation formula which measures the student's academic performance in relation to his or her classmates. This will be highly beneficial to outside evaluators (i.e. law firms) who will be in a better position to comprehend the relatively low grades that prevail at this faculty. In addition, the DEVE formula will ensure that a student will not be disadvantaged simply because he or she is in a particularly difficult course section.

The D grade is part of a broader scheme that will introduce the university marking system (G.P.A.) to the Faculty of Law. The D grade has been particularly controversial, in that it may have the effect of lowering a C to a D. However, we feel that its positive side outweighs these concerns. To illustrate this point, it may be noted that a borderline examination paper will be given the benefit of a doubt and may not be failed by virtue of the existence of a conditional pass.

The Faculty is to be applauded for having adopted these measures which will ultimately benefit the student body. The members of the committee who studied this question are also to be commended for their time and obvious effort in preparing the report.

We are particularly glad that Professor Sklar was not on sabbatical last year so that he could furnish informed opinion on this matter.

Pearl Eliadis and Debbie Raicek

# LETTERS

## Is the "Goose" Cooked?

by Pearl Eliadis

A number of students have expressed anxiety as to the nature of the ongoing verbal battles which originated from Rick Goossen's article ("Grey Doorknobs and Brass Handles") and the response to it by Mr. Neudorfer. As a public service, a new column has been established to review and update the latest developments.

On October 24, 1984, Mr. Goossen wrote his article, which dealt with his experience as a blue collar worker. He referred to the benefits which accrue to a law student in such a milieu by virtue of the expanded clientele which may result from these new contacts. Two weeks later, a somewhat outraged response was logged by Neudorfer, who objected to the facile

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## ID Cards

As was posted at September registration, your ID card is valid for the fall term only.

Once your second term fees have been paid, you can have your I.D. card validated for the winter term as per the following schedule:

December 1, 1984 - January 4, 1984 (excluding holidays):

Monday - Friday  
9:00-5:00:  
Registrar's Office

January 7 - 18, 1984:

Monday - Friday  
9:30-5:00:  
Cashier's Office

Monday-Friday  
9:30-5:00:  
Registrar's Office

Tuesday + Thursday  
2:00-6:00:  
Arts Bldg. Lobby

Monday + Wednesday  
10:00-2:00:  
Education Library

Thursday + Friday  
9:30-1:30  
Stewart Biology Lobby

January 21 - Feb 1, 1985  
Monday - Friday  
9:30-5:00:  
Cashier's Office

Monday - Friday  
9:30-5:00:  
Registrar's Office

Monday, Wednesday + Friday  
2:00-6:00:  
Arts Bldg. Lobby

Tuesday + Thursday  
10:00-2:00:  
Education Lobby

\*From December 1, 1984 to January 4, 1985, you must present a receipt from the cashier's office. After this time, receipts will not be necessary if you allow several days for your payment to go through.

**Registrar's Office**

## Donut Eating

Proceeds remitted to the Quebec Heart Foundation amount to \$663.12. The unilateral admiration society would like to offer big thanks to the following participants:

Gabriel Boutros, Ron Sklar, Alex Daoussis, Rodney Garson, Joe "Star 1209" Starnino, Harold & Janice Lapin, Janet Henchey, Holly Nickel, Mitchell Marcus and Jill Hugessen.

In pursuit of higher ethics in the legal profession, we at Phi Delta Phi, are especially impressed at the time and effort given by all our classmates toward such a meaningful cause.

**Tony Abruzzese  
Magister**

## OBSERVATIONS

I was walking along Dr. Penfield the other morning, making my way unhurriedly towards the Moot Court, where I was probably missing a Torts lecture, when all of a sudden a man wearing a Santa Claus suit emerged from behind a fence on the corner of du Musée, ringing a brass bell.

"Ho ho ho, my good man," he called as I approached him warily, thinking to myself that these guys usually confine themselves to passing out complimentary trinkets to impressionable youngsters in the suburban shopping centre or at company Christmas parties, and are not given to wandering around the Square Mile in broad daylight in November. However...

He stopped me with a gesture and said in a matter-of-fact sort of way: "Have you seen Rudolph?"

"Rudolph?", I answered

blankly.

"Yes, Rudolph. My reindeer," he replied affably. "He's got my sleigh, and I'm due at the Rockland shopping centre in half an hour. So have you seen him?"

"You're kidding."

"That's what everyone says," he replied, as though affronted. "But no, I'm not kidding. I was just downtown at the Ritz. Having a croissant. Rudolph was waiting out front for me. When, all of a sudden he trotted off in this direction. Now, have you seen him?"

"No."

"Oh dear. Well where could he have gone?" The poor man looked distressed. And I couldn't help but notice that he was far better dressed than your average food-stained, felt-bearded Santa Claus. In fact, his long white beard looked genuine, and his suit was made of rich red velvet, and he wore patent leather boots and a matching belt with a gold buckle. (So maybe he lived in the Square Mile after all.)

So I said to him, "Maybe he went up on the mountain. To graze or something."

"Oh," he said, suddenly brightening. "Yes. Perhaps he did. What a good idea. Which way is the mountain, please?"

I pointed out the obvious.

"Thank you, young man," he said as he started off up the hill. "Thank you so much. And have a merry Christmas..."

And I stood there on the sidewalk for a couple of minutes, watching this in-

**Cont'd on p. 6**



# Placement Centre

A new listing of articling vacancies as prepared by Osgoode Hall Bar Admission Course has now been placed in the Placement Centre. Numerous listings for Ontario are posted on the list and for complete details please refer to the actual posting in the Placement Office, Room 109 of OCDH.

## Montreal

The firm of Robert & Champagne. 306 Place D'Youville, Montreal, Quebec, H2Y 2B6, require the services of a bilingual third year students intending to write the Quebec Bar examinations. The employment period would extend through articling. Real estate & commercial law. Inquiries should be addressed to Mr. J. Paul Robert including a curriculum vitae.

The Placement Centre provides up-to-date news as received pertaining to articling positions, prizes, scholarships, graduate courses, etc. If further information is required in any of these matters please see Mr. André Lemieux or Mrs. Higgins in the Admissions Office.

## Observations

Cont'd from p. 5

plausible character disappear, and then turned and continued on my way towards the Moot Court thinking no one was going to believe this, not even me....

Scott Turner

## Cher Père Noël

Voilà déjà 15 ans que je ne vous ai pas écrit mais comme ma période d'examen arrive à grands pas, j'ai pensé à vous.

Cela peut sembler être une solution de dernière ressource ou bien un signal de profond désespoir mais n'allez pas tirer cette conclusion hâtive. En fait, toutes les raisons sont bonnes pour abandonner la lecture de mon livre de "Property"!

Soyons réalistes, je n'oserais pas demander des A+ dans mes examens car après une étude approfondie des résultats d'examens de l'an passé cette lettre serait une perte de temps. Nous vivons, ici même, au 3644 Peel, notre propre récession économique.

Je n'oserais pas demander non plus que mes pronostics après chaque examen se réalisent car j'ai appris que ces intuitions ne concordent jamais avec les intentions du corps professoral. Vous croyez avoir coulé, obtenez un B! Vous croyez avoir B+, obtenez, un C! L'intuition féminine en prend un dur coup! Par contre, pour être positive je dois admettre que cela met du "piquant" dans nos vies estudiantines.

Ainsi, je me contenterai donc de vous demander que tout se déroule bien pour les deux semaines "infernales" qui s'en viennent. Mes parents trouvent ça bien dommage que je dorme à Noël pour rattraper mon sommeil mais ils m'excuseront si vous me donnez une période d'examens "plaisante". (Il faut vraiment du bon vouloir pour trouver du plaisir dans les examens!)

En passant, comme je ne

bien si vous donniez la même chose aux autres étudiants. (Je suis sûre que certains sont trop orgueilleux pour vous écrire!).

Merci à l'avance,

**Dominique Vézina**

P.S. De préférence, nous aimerions recevoir votre cadeau avant le 25 décembre car sinon il sera trop tard. En droit, on a un Noël précoce!

## Cont'd from p. 8

opening a Natural Food Store in Bangor, Maine, in September 85. Good luck, Jimbo.

## Nelson Eschelman:

The heart of the Law I team. He was in on every play and gave 100%. Often seen running the stairs at Molson Stadium 3 to 4 hundred times a day, his only comment was: "It's a long way home."

## Seti "The Monster" Hamalian

Seti was the only person capable of swearing in four official U.N. languages. His play was aggressive and matched his quick lip. Look for him soon in sunny California selling old Quebec civil codes.

## Bruce "Where's the Beer" Randall:

The Vein, the mad middle linebacker from Lobsterville, Newfoundland (previously Shellville). His great physical attribute (6-10/285) enabled him to pull down numerous opposing quarterbacks.

Well, the characters have been chronicled, only one last word, Bananarama will be on top in Hunan province in 1985.

**M. Monte Ciarallo**



# LETTERS

Cont'd from p. 4

attempt to characterize blue collar workers as a group of buffoons and/or bigots.

Last week, Ms. Maryanne Kramer publicly suggested that Mr. Neudorfer should develop a sense of humour. Goossen countered Neudorfer's response with a longish parry and thrust, indicating that Neudorfer's objections to "Grey Doorknobs and Brass Handles" had been based on figments of the imagination unrelated to the substance of Goossen's intentions.

The following missives continue the saga. Stay tuned...

## RESPONSE TO RESPONSES TO NEUDORFER

In reply to Ms. Maryanne Kramer's short comment that, "a sense of humour may also be a measure of intelligence," Ms. Kramer should keep in mind an even shorter comment: "There is truth in jest." Moreover, would Ms. Kramer be as amused by a "humorous" article belittling the intelligence and exploits of women as she was by the article that "poked fun at" a group of blue-collar workers?

In reply to Rick Goossen's own response to Mr. Neudorfer's letter, a few points are in order.

Rick suggests that Mr. Neudorfer should refrain from perpetuating the very attitude he seeks to combat, and that "[one] should not look for the perpetuation of the stereotype where it was not presented."

Well, Rick, although I am sure you did not intend to "imply" negative stereotypes with respect to blue-collar workers in your column (as you prove in your response), I must say that upon reading your article I had exactly the same reaction as Asher Neudorfer. In fact, other people to whom I gave your column expressed similar, if not more heated, sentiments.

When first reading it, I assumed that the purpose of your piece was primarily humorous and let the article pass without comment. But when you responded to Mr. Neudorfer's criticism of your column by claiming that it only reflected a "desire for a platform from which to voice his opinion", I feel compelled to point out here that Mr. Neudorfer is not alone in his sentiments.

Lenny Abramowicz

## Response no. 2

### Short

I have taken the liberty in attempting to disengage from Mr. Goossen's rather rambling reply to my letter (Nov. 7) a somewhat reluctant agreement by him to some of the criticisms therein expressed, albeit not in relation to his letter. Never let it be said that our future advocate cannot recognize criticisms when he sees them -- his difficulty is in applying them to himself.

### Long

There is much which could warrant comment in Mr. Goossen's reply. Indeed, he correctly chastises me for using the word "witty" in reference to his original article. Such an

inappropriate choice of words was unconscionable on my part. To be witty presupposes, as Mr. Goossen correctly points out, a humorous content to begin with.

Secondly, he takes me to task for trying to impose a measure of intellectual responsibility for his admittedly loose comments. The reason I failed to see that Mr. Goossen's formula, amounting to "adding a minimum of truth and a maximum of imagination" (his own words), probably stems, as he again correctly suggests, from my failure to read Mordecai Richler. Again, Mr. Goossen, I am forced to bow to the weight of your logic.

Where I wish to continue to take issue with our author is in his on-going theme with respect to the relative lack of political or social concerns of average working Canadians. At the outset, let me say I was pleased to see that Mr. Goossen [may I call you Rick, since somehow in the course of our correspondence I feel I can be so bold as to be more intimate, even if we have never met] agreed to forgo the generalizations evident in his original article, and has sought the authoritative references of the 1982 Gallup Polls to bolster his argument. Thus, he contends once more that "few construction workers, factory workers, students... in the midst of economic havoc, ponder legal and social issues."

My sources are of course much more limited. During the period 1975-1984 I attended dozens of labour conventions on the municipal, provincial and national levels. On a number of occasions I have crisscrossed the country organ-

Cont'd on p. 3



# THE LONG MARCH: HUNAN TO FORBE'S F

In all great marches, whether in Dallas or Peking, there eventually comes a time when they must ultimately end. Along the way, many warriors fall ill or are lost to the enemy. We too, in our many marches, suffered the tribulations of those historical marches. Our march has ended and there remains a Gang of Fifteen; here are these historic characters.

It all began on a field one November day, as most social, political, or athletic meetings do. Some are called conventions, but this was an innocuous meeting of the '84 edition of the Law I - touch football team. Lawyers appeared from distant lands such as Bear Canyon, Alberta, Winnipeg and Laval. After weeks of intensive, sometimes quelling, military training, a bench of fifteen judges was selected. In no order of political clout, we pay tribute to these fine warriors:

Peter Mardabis:

"Little Peter", "Black Beard", "the Kardiak Kid"; whatever the epithet, no judge has done more to enlist the faithful. His football exploits are equaled only by his wit and aggressive Thomson House tactics.

Peter Pamel:

The "Signalman". What hasn't been said of this ex-North Shore-let's pile-on-the-points standout. One never at ease with static living (and the hands to prove it), he made numerous outstanding moves off the field. In his spare time from the garage, the Signalman is usually busy at Dorval International bringing in the big ones.

Rod "Prairie Dog" Garson:

P.D., the man from Toba, was key to the offensive line. Known collectively as the Harvard Hogs, Garson was an inspiration to all who played. Usually to be found on weekends in Plattsburgh, New York, tracking down Byrd Birdan records.

Joe "Star" Starnino:

This is a man who hides potato-pancakes in his tuxedo. Known to many Californian college football fans as the Intellectual Assassin (4.0--4 X All-American), Joe Star was tremendous. His Beaver Lake runs will go down in Football lore.

Bob "Bo" Katz:

Not the guy from Auburn, but close. Rarely seen, on or off the field, but always there -- in mud, rain, or snow. A man that introduced Forbe's F to the Floridian Face Dance, played solidly under incredible media pressure. Well Bob, there's always next year, -- work on the Refrigerator chest, but don't drop your gun!

Norme Dionne:

The man that practised day in, day out. Who stayed late to improve on those little things that make a receptor great. He handled the pressure of women, drugs and rock-and-roll especially well for an import. His trademark -- put simply -- the Spectacular Catch. Next year we'll attach a road map to his contract.

Bruno "Two-way" Duguay:

"Two-Way" or TW really did play both ways. A man described "as having the softest hands in the I-M league," Bruno provided Law I with some outstand-

ing game-breaking catches. To this civilian receptor goes the Golden Boot Award.

Mark Ciarallo

The man with the "no-tools mentality" and the Goliathesque stature (6-11, 275) improved steadily from a rocky start (17 passes, 14 interceptions, 3 completions). Often a little vocal in the huddle and always wondering "Isn't this the women's residence, where's what's her name?", will be off to La Tolla for the annual mushroom festival and "Little Cigar training camp". Possible off-season surgery.

Brian "Where's that Summary" Ward:

The author of "But I thought it was Norm's", an article soon to be published in Time and Sports Illustrated, Brian has settled down relatively well to the sedentary life. After a stint at the Ross for injuries sustained in Law I's final game, "Psycho" will be back next year for more raucous crunches.

Rick Shaw:

Rick puts his body on the line game in and game out. One who finds almost anything inadmissible, he was stellar in the secondary, being named to the All-Canadian squad. On learning the result, Rick blurted "Admissible".

James "Dean" Papadimitriou:

JD was dressed for all occasions and showed his colors by being named to the prestigious "America's Best Dressed List". His football feats are legends in their own time. JD has decided to settle down to the quiet life. He will be

Cont'd on p. 6